

Message Text

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ACTION VO-03

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FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 591

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USMISSION USBERLIN UNN

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E.O. 11652: N/A

TAGS: CVIS, GE

SUBJECT: THOUGHTS ON REVISING FORM FS-257(A)

REF: STATE 056037

1. THE COMMENTS GIVEN BELOW ARE PRIMARILY AIMED AT REVISIONS THAT WOULD BE APPROPRIATE IN THE GERMAN LANGUAGE VERSION OF FS-257(A) WHICH, WE ASSUME, WILL STILL BE PREPARED AT THE PRINTING FACILITIES IN BONN. WE ASSUME THAT RATHER MORE CONTROLS WILL BE REQUIRED FOR SOME TIME ON VISA ISSUANCES TO PERSONS TRAVELLING ON GDR DOCUMENTATION AS WELL AS OTHER EASTERN EUROPEAN COUNTRIES. THUS, WE WOULD NOT, FOR EXAMPLE, FIND MUCH VALUE IN INCLUDING ALL PERSONS NAMED IN A PASSPORT IN A SINGLE APPLICATION. WE BELIEVE REASONABLE CONTROL CAN BEST BE MAINTAINED BY SEPARATE APPLICATIONS FOR INDIVIDUALS, WITH THE POSSIBLE EXCEPTION OF MINOR CHILDREN INCLUDED IN MOTHER'S PASSPORT.

2. ONE THOUGHT THAT OCCURS TO US, HOWEVER, IS A RECONFIGURING OF QUESTION 32 IN WHICH THE VARIOUS GROUNDS FOR INELIGIBILITY AS SET FORTH IN SECTION 212 OF THE INA ARE LISTED. WE HAVE HAD ON A NUMBER OF OCCASIONS INQUIRIES AS TO WHETHER SOME DISTINCTION COULD NOT BE MADE BETWEEN THE POLITICAL CATEGORIES (27, 28, OR 29) AND THE OTHERS. OFFICIALS IN THE

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CONSULAR DEPARTMENT OF THE FOREIGN MINISTRY HAVE

POINTED OUT THAT MANY HERE ARE OFFENDED THAT DRUG ADDICTS, PROSTITUTES, CRIMINALS AND MENTAL DEFECTIVES ARE CONSIDERED ON A PAR WITH MEMBERS DEFECTIVES ARE CONSIDERED ON A PAR WITH MEMBERS OF POLITICAL ORGANIZATIONS THAT, IN THIS COUNTRY AT LEAST, ARE RESPECTED AND RESPECTABLE. THESE FOREIGN MINISTRY CONTACTS DO NOT REQUEST THAT ANY GROUNDS FOR INELIGIBILITY UNDER THE LAW BE ELIMINATED FROM THE QUESTIONNAIRE. THEY RECOGNIZE THAT THIS CANNOT BE DONE. THEY DO WONDER IF IT IS NOT POSSIBLE TO LIST POLITICAL GROUNDS OF INELIGIBILITY SEPARATELY.

3. AFTER CAREFUL CONSIDERATION OF THESE COMMENTS, THE EMBASSY BELIEVES SUCH A CHANGE MIGHT WELL BE WARRANTED. THAT VISA APPLICANTS MUST BE ADVISED OF THE SEVERAL GROUNDS OF INELIGIBILITY AND MUST MAKE AFFIRMATIVE STATEMENTS ON WHETHER ANY OF THOSE GROUNDS OF INELIGIBILITY APPLY TO THEM IS NOT IN DISPUTE.

NEVERTHELESS, THE EMBASSY BELIEVES THAT A REPARAGRAPHING OF THE GROUNDS OF INELIGIBILITY TO SEPARATE THE POLITICAL FROM THE OTHER GROUNDS MIGHT SERVE TO LESSEN THE OFFENSE GIVEN BY THE EXECUTION OF U.S. LAW. THE DEPARTMENT MAY WISH TO CONSIDER RECONFIGURING QUESTION 32, IN ALL THE LANGUAGE VERSIONS, TO MAKE THIS DISTINCTION. THE EMBASSY RECOMMENDS THAT THIS BE DONE.COOPER

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